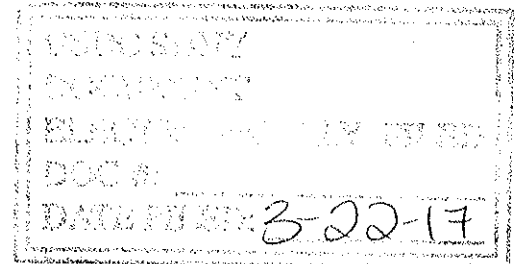


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKMichele Bizaldi, *on behalf of herself and
others similarly situated,**Plaintiff,*

-v-

Sapitos Restaurant, Inc., Cajun NY LLC,
Yairton Garcia, Philip Kuszel, and Jaleene
Rodriguez, *in their individual and
professional capacity,**Defendants.*

Civ. Case No. 16-cv-8242

DEFAULT JUDGMENT

This action having been commenced on October 24, 2016 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the Defendants Sapitos Restaurant, Inc., and Cajun NY LLC, on October 28, 2016, by personally serving Nancy Dougherty, an Authorized Agent in the Office of the Secretary of State of the State of New York, and, further, the Summons and Complaint having been served on Defendants Yairton Garcia, Philip Kuszel, and Jaleene Rodriguez, by conspicuously affixing true copies of the same to their door on three attempts, last attempt being on January 5, 2017, and by mailing the summons and complaint by first class mail to their place of business on January 6, 2017, proof of service having been filed on December 6, 2016 and on February 9, 2017 for the Corporate and Individual Defendants respectively, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff has judgment against Defendants, jointly and severally, in the total amount of \$41,969.09. This amount includes back wages for a total of \$9,680; prejudgment interest accruing from December 5, 2015 up to this

date, for a total of \$1,829.09; liquidated damages pursuant to the FLSA and NYL; and statutory penalties.

IT IS FURTHER ORDERED THAT: Plaintiff is entitled to be awarded reasonable attorney's fees and costs in prosecuting this action upon a further application to the court.

Dated: New York, New York

March 22, 2017


U.S.D.J.

This document was entered on the
docket on _____

Michele Bizaldi

WKS	START DATE	END DATE	HOURS WORKED	HOURLY WAGES RECEIVED	MINIMUM WAGE	MIN. WAGE OWED	Liquidated damages NYLL § 216(6-b) (1)	Liquidated damages NYLL § 216(6-b) (2)	NYLL Prejudgment Interest (8%)	TOTAL AMT DUE
1	12/1/2015	12/5/2015	22.5	\$ -	\$ 8.75	\$ 350.00	\$ 350.00	\$ 350.00	\$ 83.03	\$ 1,133.03
2	12/6/2015	12/12/2015	22.5	\$ -	\$ 8.75	\$ 350.00	\$ 350.00	\$ 350.00	\$ 81.69	\$ 1,151.69
3	12/13/2015	12/19/2015	22.5	\$ -	\$ 8.75	\$ 350.00	\$ 350.00	\$ 350.00	\$ 80.36	\$ 1,130.36
4	12/20/2015	12/26/2015	22.5	\$ -	\$ 8.75	\$ 350.00	\$ 350.00	\$ 350.00	\$ 79.02	\$ 1,129.02
5	12/27/2015	1/2/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 80.10	\$ 1,150.10
6	1/3/2016	1/9/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 78.73	\$ 1,158.73
7	1/10/2016	1/16/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 77.38	\$ 1,157.38
8	1/17/2016	1/23/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 75.98	\$ 1,155.98
9	1/24/2016	1/30/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 74.61	\$ 1,154.61
10	1/31/2016	2/6/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 73.43	\$ 1,153.43
11	2/7/2016	2/13/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 72.05	\$ 1,152.05
12	2/14/2016	2/20/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 70.69	\$ 1,150.69
13	2/21/2016	2/27/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 69.31	\$ 1,149.31
14	2/28/2016	3/6/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 67.74	\$ 1,147.74
15	3/6/2016	3/12/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 66.37	\$ 1,146.37
16	3/13/2016	3/19/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 65.00	\$ 1,145.00
17	3/20/2016	3/26/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 63.72	\$ 1,143.72
18	3/27/2016	4/2/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 62.64	\$ 1,142.64
19	4/3/2016	4/9/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 61.38	\$ 1,141.38
20	4/10/2016	4/16/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 60.12	\$ 1,140.12
21	4/17/2016	4/23/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 58.68	\$ 1,138.68
22	4/24/2016	4/30/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 57.60	\$ 1,137.60
23	5/1/2016	5/7/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 56.34	\$ 1,136.34
24	5/8/2016	5/14/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 55.08	\$ 1,135.08
25	5/15/2016	5/21/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 53.82	\$ 1,133.82
26	5/22/2016	5/28/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 52.56	\$ 1,132.56
27	5/29/2016	6/4/2016	22.5	\$ -	\$ 9.00	\$ 360.00	\$ 360.00	\$ 360.00	\$ 51.48	\$ 1,131.48
Unpaid wages, liquidated damages & interest										\$ 30,869.09

Failure to procure a signed acknowledgment of wage rate pursuant to NYLL § 195(1)

\$ 5,000.00

Failure to provide accurate wage statements pursuant to NYLL § 195(3)

\$ 5,000.00

FLSA § 216(2): Employers who willfully or repeatedly violate the minimum wage or overtime pay requirements are subject to a civil money penalty of up to \$1,100 for each such violation.

\$ 1,100.00

Attorneys Fees

TBD

Court Expenses

TBD

Total Damages Due

\$ 41,969.09